

Naples City Council

October 13, 2011

Minutes

The regularly scheduled meeting of the Naples City Council was held October 13, 2011, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Michael Drechsel, Greg Richards, Sharon Turner, Jim Harper, Connie Patton, Chris Hoem, Craig Blunt, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Robert Hall offered the invocation.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda. Councilman Olsen asked to discuss an issue under item seventeen of the agenda. Dennis Long **moved** to approve the agenda with that addition. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of September 22, 2011. Dennis Long **moved** to approve the minutes of September 22, 2011 as written. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked Jim Harper if he obtained the standards from Vernal City and Uintah County for their turn lane striping. Jim said he went out and measured a couple of them and found the ones in Vernal City to be about nine and a half or ten and a half feet. Jim said he noticed that if Vernal City has the width in the road then they have expanded them. Mayor Baker asked about the County. Jim said he did not find any painted turn lanes in the County. Mayor Baker asked what the turn lane on 2500 South measured. Craig said it was 11' between the lines. Councilman Kitchen said he would like to see the City paint the turn lanes on 2500 South similar to those near the Rec Center. He said he would like to see them shift and narrow them when they chip seal the

FOLLOW UP ITEMS FROM PREVIOUS MEETING

road. Councilman Kitchen wanted to know where things stood with Tracy Stocking & Associates and the plans for the building near the office. Mayor Baker said they had a phone conference with Mr. Stocking and discussed how to best fit a building on the available lot.

Connie Patton presented the bills in the amount of \$92,5760.94 and asked for approval to pay them. Mayor Baker asked about the bill for the impact fee study. Craig said it was the last area for the impact fee study and should finish up the bill for those. Councilman Hall asked about the bill for the sidewalk. Craig said it was a partial payment for the sidewalk on 1500 East near 1900 South. Mayor Baker asked how much of the job this bill reflects. Craig said the contractor is waiting for cement and is about 50% complete. Robert Hall **moved** to approve the expenses in the amount of \$92,570.94. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

A business license application was received from **Prime Well Services** located at 1315 S 1200 E. Craig Blunt stated he was not able to contact the owner of the business to ask about this business. Dennis Long **moved** to table the request until Craig is able to speak with the owners. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Mike Drechsel with Uintah County came before the Council to follow up on the proposal to vacate a portion of 1000 South. Mr. Drechsel reported that since the last Council meeting, when the Council moved to approve vacating a portion of 1000 South conditioned upon the turn around and easements, some things have taken place and he wanted to give them an update on what has been accomplished. Mr. Drechsel said they have prepared an Ordinance and plat map for the Council's consideration. Mr. Drechsel reported that he spoke with Dennis Judd and prepared the Ordinance on his recommendation and according to Utah Code. Mr. Drechsel said he also reviewed the easements with Mr. Judd. Mr. Drechsel presented Scott Bingham's signed easement to the

APPROVAL OF THE BILLS

APPROVAL OF BUSINESS LICENSES

VACATING A PORTION OF 1000 SOUTH - ORDINANCE 11-134 AND EXECUTION OF PLAT MAP

Council. Mr. Drechsel said he would leave the easement with the Council to be recorded along with the plat map. Mr. Drechsel stated the easement with Uintah County and Vernal City would be discussed at upcoming meetings and should be approved by both Uintah County and Vernal City. Mr. Drechsel said the airport needs the fence to be in compliance with FAA regulations and believes the County and Vernal City will do what is needed to make that happen. Mayor Baker said the City could approve everything contingent upon receiving Vernal City and Uintah County's easement. Mayor Baker said they could go ahead with the construction of the fence across the 1000 South road. Robert Hall **moved** to approve Ordinance 11-134 contingent upon receiving the easement from Vernal City and Uintah County and to authorize the Mayor to execute the plat map. Mr. Drechsel wanted the Council to know that he spoke with Dennis Judd about who will maintain the hammer head turn around. Mr. Drechsel reported that Mr. Bingham will take care of his driveway and the County believes it would be easier if the City maintains their right-of-way and takes care of the road. He said the County will do the initial construction of the hammer head and have Naples maintain the road. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt explained to the Council that five companies picked up bid packets for the 1900 South Storm Drainage project but no one returned any. Craig said he spoke with some of the companies and it was mostly a timing issue. He said the companies could not make the City's required deadline for the project. Mayor asked if Craig received the Engineer's estimate for the project. Craig said he was still waiting on that. Mayor also asked if the City could consider offering a partial payment to the companies when the project is 50% complete and then payment of the rest upon completion. Mayor Baker wanted to know if that could be a draw for someone to do the job. Craig said he would sit down with Dennis Judd and see if they could work something up. Craig said he will send the project out for bid one more time. Councilman Kitchen asked Craig to keep in touch with Neil Cathey of the Recreation District and make sure he is

***1900 SOUTH STORM
DRAINAGE BID RESULTS
AN AWARD OF BID***

aware of what is going on. No action was taken.

According to changes in Utah State Law, Municipal governments can choose to cancel an election when the number filing for office doesn't exceed the number of Council seats open for election. Resolution 11-241 was presented for consideration to cancel this year's municipal election and consider Dan E. Olsen, Kenneth Reynolds, and Gordon Kitchen as elected to the office of City Council. Robert Hall **moved** to approve Resolution 11-241 canceling the municipal general election for November 8, 2011. Dennis Long **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Dennis Long **moved** to accept Resolution 11-242 re certifying the Naples Justice Court. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Resolution 11-243 was presented to Council for their approval. The resolution was to give approval to hold Naples Justice Court at the Uintah County Safety Complex. Dan Olsen **moved** to approve Resolution 11-243. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt discussed with the Council the paperwork that will be presented to the owners of Pheasant Run Subdivision offering to purchase lots for the self-help housing program.

***RESOLUTION 11-241
CANCELING MUNICIPAL
GENERAL ELECTION***

***RESOLUTION 11-242
CERTIFICATION OF
NAPLES JUSTICE COURT***

***RESOLUTION 11-243
ESTABLISHING
LOCATION FOR NAPLES
JUSTICE COURT***

***CDBG SELF-HELP
HOUSING PROJECT
WRITTEN OFFER TO***

Craig said the offer for the lots will be \$28,500. Craig said after the appraisals were completed on the lots in Pheasant Run two of the lots sold, one for \$29,500 and another for \$30,000, these amounts were above what the lots appraised for. Craig said he felt comfortable offering \$28,500 and wanted the Council to know that he wrote into the offer a request that water and sewer hook-up fees be included for that price. Councilman Long wanted to know if there was any interest by individuals for these lots. Craig said the City would work with the Association of Governments for help in getting things set up. Craig said the public notices have already been set up for the lots as part of the program. Councilman Kitchen asked about the income guidelines for the program. Craig said he would get that information back to Councilman Kitchen. Gordon Kitchen **moved** to approve the land purchase offer as stated in the paperwork. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***PURCHASE LOTS AND
STATEMENT OF BASIS
FOR TERMINATION OF
JUST COMPENSATION***

Craig Blunt said he has been working with Dennis Judd to come up with a right-of-way agreement with Ashley Valley Water & Sewer (AVWS). Craig said he has given a copy of the agreement to AVWS but has not heard back from them. Councilman Long wanted to know who recently cut the line on 500 East. Craig said that was an emergency cut to repair a line break that under mined the road. Councilman Long wanted to know how the City was going to hold AVWS to the 72 hour "fix-it" time frame written in the agreement. Craig said that is why they are trying to go with the \$5,000 cash bond. Craig said he hopes the agreement will help to get the road cuts fixed correctly. Mayor Baker wanted to know about the cash escrow listed in the agreement and wanted to know about a time frame for repayment of the funds into the account. Councilman Olsen suggested adding a clause that says the company has five business days to replace the funds or they are in default of the agreement. Craig said the intent of the agreement was to give the standard as to how road cuts shall be repaired. Dan Olsen **moved** to execute the agreement with the changes discussed. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***R I G H T - O F - W A Y
A G R E E M E N T W I T H
A S H L E Y V A L L E Y W A T E R
& S E W E R***

Silver Spur Construction presented a road cut request for the water and sewer line project on 1500 East. Craig said the cut will be from the highway turnoff down to 5000 South. Dennis Long **moved** to approve the road cut request for Silver Spur. Kenneth Reynolds **seconded** the motion. The motion passed

ROAD CUT REQUEST

with all voting aye.

Craig Blunt also presented a road cut request from Ashley Valley Water for a cut at 2750 East 1500 South for a new house being built there. Kenneth Reynolds **moved** to approve the cut at 2750 East 1500 South. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Chris Hoem updated the Council on an amendment to the billing agreement with the Department of Technology. Chris said the City recently upgraded the internet service with the State from a T1 1.5megabits to an optical internet at 10 megabits. Chris said there has not been a notable difference in the speed of the internet but it has kept the internet from going down so often. Chris said he believed when they updated the service that it would be for the same price but that wasn't the case. Chris said the security service through the State is worth the price the City is paying because if they were to change to a private provider it would cost over a \$1,000 and the City would have to figure out their own security measures for all of the computer systems. Kenneth Reynolds **moved** to accept the new billing agreement with the Department of Technology Services. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt updated the Council on the walk through for 2500 South. Craig said they have completed the work at the Pearson's, the pedestrian markings, and the sod at the Gardner's. Craig said almost all of the change order items have also been completed. Councilman Hall wanted to know if he knew anything new about the fence prices discussed at the last meeting. Craig said he has not heard anything. Mayor Baker wanted to know if Craig had a change to look at the issue in front of John Allred's. Craig said he was able to look at it but there are issues with the concrete box in front of his property. Craig said all of this falls in the canal easement. Mayor Baker said he didn't have any issues with Mr. Allred moving his fence and he would talk with him about it.

***A M E N D M E N T T O
B I L L I N G A G R E E M E N T
W I T H D E P A R T M E N T O F
T E C H N O L O G Y S E R V I C E S***

***I N S P E C T I O N W A L K
T H R O U G H F O R 2 5 0 0
S O U T H***

Craig also updated the Council on the RDA retail development project. Craig said they are just waiting for drawings from the architect to show how a building could fit on the one acre lot and also the cost estimates for the building.

Craig wanted the Council to start thinking about the projects they would like to consider adding to the CIB one and five year project lists. He said the Council will officially update the list in November. Council members talked about extending the street lights out the highway with something similar to what Vernal City has installed. This was for discussion only. No action was taken.

Councilman Olsen brought up the safety issue of the trucks parking on the highway during the day at the Studio 6 Motel. Councilman Olsen said people who bring children to school in the morning cannot see past the big trucks to get back out onto the highway. Craig said they have made application to UDOT for no parking signs but has not received any response. Craig recommended that Jim Harper take pictures of the trucks and the line of sight and send those to the UDOT representative to try and speed up the process. It was also suggested that someone contact the company listed on the truck to see if the driver would consider parking in a different location.

OTHER MATTERS

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 8:45 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 27th DAY OF OCTOBER 2011

BY: _____

ATTEST: _____